



City of Santa Barbara California

STAFF HEARING OFFICER STAFF REPORT

REPORT DATE: June 15, 2017
AGENDA DATE: June 21, 2017
PROJECT ADDRESS: 1554 Knoll Circle Drive (MST2016-00411)
TO: Susan Reardon, Senior Planner, Staff Hearing Officer
FROM: Planning Division, (805) 564-5470
 Irma Unzueta, Acting Senior Planner
 Andrew Perez, Planning Technician II

I. PROJECT DESCRIPTION

The 15,561 square foot site is currently developed with a 2,249 square foot single family residence and a 410 square foot garage attached by a breezeway. The proposed project involves the legalization of the as-built conversion of the breezeway to a 247 square foot storage room, and the as-built enclosure of 103 square feet of the covered rear deck to habitable space. The converted breezeway will be used for storage only, as it is not proposed as habitable space. The proposed total of 2,906 square feet is 67% of the maximum allowable floor-to-lot area ratio.

The discretionary applications required for this project are:

1. Interior Setback Modification to permit the as-built enclosure of the breezeway in the western required ten-foot interior setback (SBMC §28.15.060) and (SBMC §28.92.110.A),
2. Interior Setback Modification to permit the as-built enclosure of a portion of the covered rear deck in the eastern required ten-foot interior setback (SBMC §28.15.060) and (SBMC §28.92.110.A).

The Environmental Analyst has determined that the project is exempt from further environmental review pursuant to the California Environmental Quality Act Guidelines Section 15301 and 15305 (Existing Facilities and Minor Alterations to Land Use Limitations).

II. RECOMMENDATION

Staff recommends that the Staff Hearing Officer approve the project subject to the findings and conditions in Section V of this Staff Report.

III. SITE INFORMATION AND PROJECT STATISTICS

A. SITE INFORMATION

Applicant:	Jarrett Gorin, Vanguard Planning	Property Owner:	James Shelton
Parcel Number:	015-142-006	Lot Area:	15,561 sq. ft.
General Plan:	Low Density Residential (Max 3 du/acre)	Zoning:	E-1
Existing Use:	Single Family Residence	Topography:	16%

Adjacent Land Uses:

North – Single Family Residence (1-story)	East -Single Family Residence (1-story)
South – Single Family Residence (1-story)	West -Single Family Residence (1-story)

B. PROJECT STATISTICS

	Existing	Proposed
Living Area	2,249 sq. ft.	2,352 sq. ft.
Garage	410 sq. ft.	410 sq. ft.
Accessory Space	0	247 sq. ft.

C. PROPOSED LOT AREA COVERAGE

Building: 3,662 sf 24% Hardscape: 3,526 sf 23% Landscape: 8,374 sf 53%

IV. DISCUSSION

The proposed project involves the permitting of the as-built enclosure of the breezeway between the dwelling and the garage and the enclosure of a portion of a wrap-around deck at the rear of the residence. The dwelling and garage were built in 1962, with a 12' x 22' breezeway between the two structures. The breezeway was originally open in the front and had two screened openings above a six foot wall along its rear. The back of the breezeway was built along the same line as the rear wall of the garage, which is nonconforming to the interior setback, as they are located only six feet from the western interior property line[UM]. The original construction provided a five and one-half foot separation between the rear wall of the breezeway and the nearest wall of the dwelling that was open to the side yard of the property. An as-built wall and door were later added to enclose the area. Because of its location in the setback, a modification is required to legalize this improvement and allow it to encroach into the 10-foot interior setback.

The original archive plans show a covered, wrap-around deck at the rear of the dwelling. At some point, the portion of the deck that wrapped around the living room was enclosed to create a bedroom. The enclosed deck encroaches ten inches into the required 10-foot interior setback, therefore in order to legalize the enclosure of this space a modification is required. Residential Building Records obtained from the County show the enclosure of this space occurred around 1969, however there is no evidence of a permit being issued for this improvement.

A Zoning Information Report (ZIR) inspection conducted in 2015 revealed the unpermitted enclosure of the breezeway, the addition of a wall and a sliding glass door on the façade of the breezeway facing the driveway, and a wall and door enclosing the opening near the rear portion of the breezeway. Additionally, the ZIR identified an unpermitted trellis in the courtyard, and an unpermitted shed with a toilet near the pool. The current property owner inherited the violations identified in the ZIR, and a building permit (BLD2016-02847) has been issued to address those violations. The ZIR inspection did not identify the unpermitted enclosure of a portion of the rear deck. This project proposes to legalize the unpermitted breezeway enclosure and bedroom created by enclosing a portion of the deck.

Western Interior Setback Modification

The breezeway encroaches four feet into the required 10-foot interior setback, however the portion of the breezeway nearest the western property line is approximately 30 feet from the adjacent dwelling. This enclosed space will become non-habitable storage space and is considered a preferable solution than constructing a detached accessory structure for storage, which would be difficult given the slope of this property. Staff is supportive of this request because the conversion of the breezeway to storage is the least impactful solution to provide more storage on site, while having a minimal impact on the neighboring property.

Eastern Interior Setback Modification

The enclosed portion of the rear deck encroaches ten inches into the required 10-foot interior setback. There are no windows in the eastern facing wall that was added to create the bedroom, which maintains privacy between properties. The encroachment into the setback is considered minimal and provides the property owner with another bedroom. Staff is supportive of this request as the enclosure of this area is not anticipated to adversely impact the adjacent property.

V. FINDINGS AND CONDITIONS

The Staff Hearing Officer finds that the Western Interior Setback Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. The proposed breezeway enclosure is appropriate because it is not expanding the existing footprint of any structure, nor will it result in new structures on the property and it will achieve the applicant's goal of providing more storage on site. Given the topography of the property, the enclosure of the existing breezeway is preferable over constructing a detached structure for storage and is not anticipated to adversely impact the neighboring property due to its distance of more than 30 feet from the adjacent dwelling.

The Staff Hearing Officer finds that the Eastern Interior Setback Modification is consistent with the purposes and intent of the Zoning Ordinance and is necessary to secure an appropriate improvement on the lot. Although the "as-built" addition of a bedroom encroaches into the interior setback, it is appropriate because the addition continues to follow the line of the nonconforming wrap-around deck, and the encroachment is less than one foot. The enclosure of this portion of the deck will provide additional floor area for the property owner without adversely impacting the adjacent property.

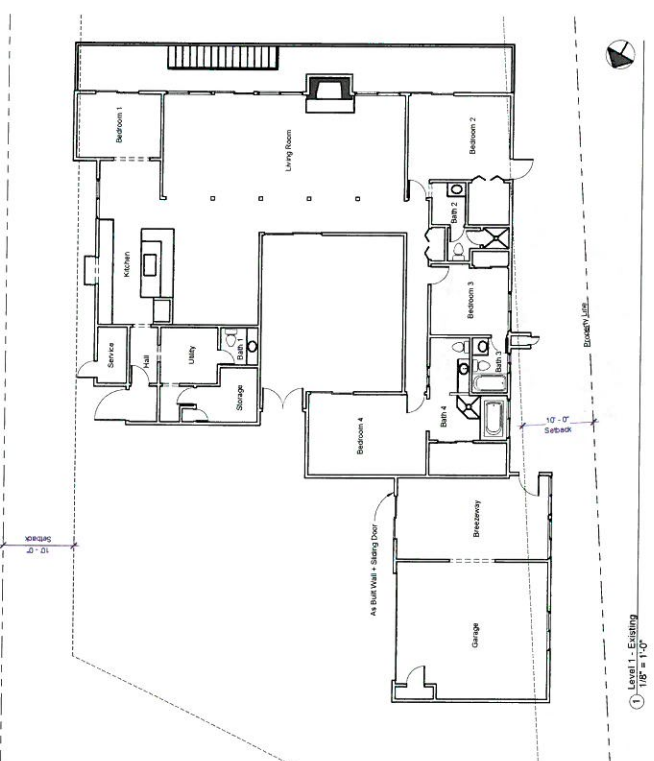
Said approval is subject to the following condition:

1. The storage closet in the garage shown on the plans shall be either removed or granted a waiver from Transportation staff to allow it to remain.

Exhibits:

- A. Site Plan (under separate cover)
- B. Applicant's letter, dated June 9, 2017

Contact/Case Planner: Andrew Perez, Planning Technician II
(ACPerez@SantaBarbaraCA.gov)
630 Garden Street, Santa Barbara, CA 93101
Phone: (805) 564-5470 x4559



June 9, 2017



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Ms. Susan Reardon, Staff Hearing Officer
City of Santa Barbara
PO Box 1990
Santa Barbara, CA 93102-1990

Hand Delivered

RE: Modification Request for 1544 Knoll Circle Drive, APN 015-142-006, E-1 Zone

Dear Ms. Reardon:

Vanguard Planning Inc. represents James Shelton (the "Owner") the owner of the above referenced property (the "Subject Property"). We are requesting a modification to the City of Santa Barbara (the "City") Municipal Code (the "SBMC") standards in association with enclosure of a breezeway to create non-habitable storage area and enclosure of a covered patio area to create a new bedroom.

1.0 BACKGROUND AND PROJECT DESCRIPTION

The existing 15,561 s.f. Subject Property is developed with a single family residence. The residence includes a two-car garage that was, in the original configuration, attached to the structure with a covered breezeway. No direct access from the interior of the residence to the breezeway is provided in the original configuration, and none currently exists. The portion of the breezeway located closest to the side property line originally included a full height wall. The side of the breezeway facing the driveway remained open, resulting in a configuration where the breezeway was an exterior space.

At some time prior to Owner's acquisition of the Subject Property, the driveway side of the breezeway was enclosed with a wall and sliding glass door. A standard door was also added between the end of the other side and the side-wall of the residence. This created an enclosed space. The breezeway, as originally constructed, encroaches approximately four feet into the 10 foot interior yard setback. The enclosure of this space has converted a legal non-conforming space into an enclosed space, and therefore requires a modification to interior setback.

Additionally, an approximately 105 s.f. covered patio area at the easternmost corner of the residence was enclosed to create a bedroom. This appears to have occurred some time prior to 1969 based on a review of Assessor Building Records. The original covered patio extends to within 9 feet 2" of the adjacent property line. This means that a portion of the new bedroom created by the enclosure encroaches 10" into the required 10 foot interior yard setback. The bedroom addition therefore requires a modification to interior setback.

2.0 REQUESTED INTERIOR YARD SETBACK MODIFICATION (SBMC Sec. 28.15.080) FOR ENCLOSURE OF BREEZEWAY

Proposed Modification is Necessary to: 1) secure an appropriate improvement on a lot; 2) prevent unreasonable hardship; and 3) promote uniformity of improvement

The enclosure of the former breezeway represents an appropriate improvement on a lot. This improvement provides necessary storage outside of the area required to park cars in the adjacent garage. The provision of storage area through enclosure of the breezeway does not increase the footprint of existing development on the Subject Property or change the footprint of existing structures. Additionally, this improvement does not result in the creation of new habitable area within a setback. The adjacent residence to the south is over 30 feet away from the common property line near the enclosed breezeway. There is no potential that enclosure of the breezeway, located within an existing structural footprint and on the opposite side of an original existing wall that faces the neighboring property, could result in adverse impacts to health, safety, welfare, privacy, or quality of life.

Owner wishes to retain the enclosed secure storage area created from the former breezeway. As discussed above, this allows for the provision of this space within the footprint of the existing structure. Owner could potentially construct up to 500 s.f. of accessory space in a detached structure for this purpose, but doing so would result in a greater impact to neighbors during construction, and in an increased development footprint. Additionally this space would need to be located in portions of the Subject Property that are not readily accessible from the garage or driveway, substantially reducing the utility of the space. Given the slopes present, there is no ideal location for a detached accessory storage structure. Forcing the owner to demolish portions of the existing roof and walls in order to enclose the breezeway and comply with the current ten foot setback represents an unreasonable hardship.

The majority of surrounding properties in the area are developed with single family residences and do not include any accessory structures. The requested modification allows Owner to maintain existing enclosed storage area within the current structural footprint and therefore maintains uniformity of development.

3.0 REQUESTED INTERIOR YARD SETBACK MODIFICATION (SBMC Sec. 28.15.080) FOR ENCLOSURE OF COVERED PATIO

Proposed Modification is Necessary to: 1) secure an appropriate improvement on a lot; 2) prevent unreasonable hardship; and 3) promote uniformity of improvement

The enclosure of the former covered patio represents an appropriate improvement on a lot. This improvement allows for the addition of a small amount of square footage to the existing residence without any changes to the footprint of existing development on the Subject Property or change the footprint of existing structures. Although the addition creates habitable area within a setback, the encroachment of that area is only 10 inches into the setback. No windows or other penetrations are present in the wall that faces the adjacent property. As a result, activity within the bedroom addition has less potential to impact the neighboring property than exterior activity on the covered patio (that the bedroom replaces). The adjacent residence to the north is approximately 10 feet away from the common property line near the enclosed covered patio, and a large hedge is present between the existing structures that provides complete visual screening of each structure from the other structure. There is no potential that enclosure of the covered patio could result in adverse impacts to health, safety, welfare, privacy, or quality of life.

4.0 BENEFITS OF THE PROJECT

The requested modifications will allow for Owner to maintain existing improvements that were made to the Subject Property years before Owner acquired it. The modifications will allow for Owner to retain the enclosed utility storage area adjacent to an existing garage and without the need for structural alterations or construction of a detached accessory structure that would increase the structural footprint on the Subject Property. Owner will also be able to retain a bedroom that allows for a minor addition to the residence without any need to alter the existing footprint. Neither of these alterations would have adverse impacts to surrounding properties.

Thank you for taking the time to review this. If you have any questions, feel free to contact me via E-mail at jarrett.gorin@vanguardplanning.com or at (805) 966-3966. I look forward to presenting our proposal in person at our hearing.

Sincerely,

VANGUARD PLANNING INC.

Jarrett Gorin, AICP
Principal

